

Testimony Of
The Hon. State Rep. Leslie Mortimer, R-Horton
On House Bill 4325

Before the
Michigan House Health Policy Committee

March 1, 2005

To Chairman Gaffney and my distinguished colleagues on the House Health Policy Committee. ... Thank you for entertaining testimony this morning on House Bill 4325.

I introduced this legislation to clarify Michigan law as it pertains to a medical procedure called needle electromyography, more commonly called needle EMG.

This dynamic and invasive examination requires a trained physician to penetrate a patient's skin with a needle electrode to monitor the electrical activity of the patient's muscle. It is important to note that this is far different than how a physical therapist might employ electricity as part of a treatment regiment.

Rather, needle EMG is used to *diagnose* human maladies ranging from carpal tunnel syndrome to life-threatening illnesses like Lou Gehrig's Disease. As such, there is absolutely no therapeutic value to a needle EMG procedure.

House Bill 4325 seeks to clarify that this diagnostic exam should really only be performed by licensed physicians – and even then only by physicians who have secured additional training in needle EMG as defined by their licensing board.

The legislation would allow non-physicians to perform non-invasive nerve conduction tests under the direct supervision of a licensed physician. Only a physician, however, could interpret the results.

Additionally, in the spirit of compromise, the legislation would allow a handful of physical therapists to perform electrodiagnostic studies, provided they are certified by the American Board of Physical Therapy and have been doing such work on a consistent basis in the immediately preceding five years.

Please note that this issue is not new. Most of you, undoubtedly, recall it from the last legislative session when it was House Bill 5078. The Michigan House passed that bill by a vote of 67-32 on November 30, 2004, and 10 members of this committee voted with the majority then.

House Bill 4325 is the exact same bill as House Bill 5078 of last session. Thus, I am simply asking most of you, my colleagues, to be consistent and again support the goal of this meritorious legislation.

To new members, I encourage you to join me in taking an affirmative step to augment the health care of Michigan residents ... safeguard our limited health-care resources ... and clarify the intent of Michigan law for our valued health-care providers.

Thank you kindly for your time. And please note that members of the Michigan Neurological Association and the Michigan Academy of Physical Medicine and Rehabilitation are here to answer any and all technical questions that you might have.